

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANDRE SMITH,

Plaintiff,

v.

ANTHONY RIVARA et al.,

Defendants.

Case No. 3:12-cv-00556-MMD-WGC

ORDER

On April 26, 2013, the Court ordered Plaintiff Andre Smith to show cause within fourteen (14) days of the Order's entry why the case should not be dismissed for lack of subject matter jurisdiction. (See dkt. no. 4.) In its Order, the Court explained that Smith had not adequately alleged a federal cause of action and that federal courts only have jurisdiction over exclusively state law claims if there is complete diversity among the parties and the amount in controversy exceeds \$75,000. See 28 U.S.C. § 1332(a). The Court noted that Smith specifically alleged facts defeating diversity. Having received no response within the fourteen-day deadline, the Court now dismisses the case for lack of subject matter jurisdiction.

IT IS HEREBY ORDERED that Plaintiff Andre Smith's claims are DISMISSED for lack of subject matter jurisdiction. The Clerk of the Court is instructed to close this case.

DATED THIS 25th day of June 2013.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE